

persons who do not register or who are not licensed with the department. In fact if somebody is not registered with the department and they find that a care giver is an unregistered individual they are. . .right now all they can do is to send a non-existing registration or non-existing license, so that is no punishment, or they in turn can send the matter over to the county attorney for prosecution and county attorney's don't prosecute. So, that is one reason why there are so many unregulated persons right now. LB 520 provides solid administrative structures for the regulation of the unlicensed individual. So if Senator Haberman would tell me, if he would tell me right this minute that he supports, that he will support LB 520 because for the first time it gives the Department of Welfare the tool to really deal with the unregulated facility then I could say to Senator Haberman, yes, I can accept this concept, I can accept this concept of not touching the very, very small home base care. But that is your choice, Senator Haberman, what do you say?

SENATOR LAMB: Senator Haberman, do you care to respond?

SENATOR HABERMAN: Not really. I can't support 520.

SENATOR V. JOHNSON: Now there you are, members, you know, it is kind of like Senator Vickers offering the amendment this morning on the Lincoln sales tax bill. Senator Haberman, I tried to come up with a very reasonable package and I know you to be a person of reason, and in fact, I am a person of reason and I'm more than willing to be helpful to you on this issue. But, I can't be helpful unless you in turn are willing to give the Department of Public Welfare the right authority, the right authority to go ahead and regulate those that currently are unregulated and who frankly never will be prosecuted by local law enforcement officials. Under those circumstances, I would have to ask this body to reject Senator Haberman's amendment. Senator Marsh is correct, if we continue to exempt even the small provider from coverage without providing the Department the regulatory authority to go after the non-exempted people, then we really do wrong by our children. So for those reasons I would have to urge you to not support Senator Haberman's amendment.

SENATOR LAMB: Senator Newell, would you close on the Newell-Haberman amendment. Which one wants to close?

SENATOR NEWELL: We will let Rex close. I would like to speak.

SENATOR LAMB: Then Senator Haberman (sic) on the amendment.

SENATOR NEWELL: I thought Rex was going to close and I was going to get to speak.